

UNITED STATES DISTRICT COURT

Southern District of Texas

FILED

for the

July 02, 2020

Southern District of Texas

David J. Bradley, Clerk of Court

United States of America

v.

Eddie Allen BAUGH

Case No. **3:20-mj-99**

Defendant(s)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of May 22 and June 2, 2020 in the county of Galveston in the
Southern District of Texas, the defendant(s) violated:

Code Section

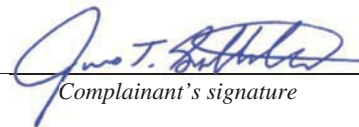
Offense Description

Title 18 U.S.C § 922(g)(1)

Felon in Possession of a Firearm

This criminal complaint is based on these facts:

See the attached Affidavit.

☒ Continued on the attached sheet.


Complainant's signature

James Settelen, ATF Special Agent

Printed name and title

Sworn to before me telephonically.

Date:

7-7-20

City and state:

Houston
Galveston, Texas


Judge's signature

Andrew M. Edison, U. S. Magistrate Judge

Printed name and title

AFFIDAVIT IN SUPPORT OF CRIMINAL COMPLAINT

I, James Settelen, a Special Agent with the United States Department of Justice, Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF), duly sworn, depose and state the following:

1. I am a Special Agent with ATF, employed by the agency for approximately 4 years. During this time, I have been assigned to the Organized Crime Drug Enforcement Task Force (OCDETF) where I have conducted and participated in numerous investigations concerning illegal federal firearms activities specifically concerning prohibited persons, federal controlled substance violations, conspiracy laws, and the commission of violent crimes.

2. During my employment as an ATF Special Agent, I have received specialized training in, and personally participated in, various types of investigative activity. These activities include, but are not limited to: physical surveillance, debriefing defendants, witnesses, informants and other individuals who have knowledge concerning violations of federal firearms laws, undercover operations, the execution of search warrants, the consensual monitoring and recording of conversations, electronic surveillance with pen registers, and trap and trace devices, the court-authorized interception of both wire and electronic communications (i.e., Title III wiretaps), and the handling and maintenance of evidence.

3. This affidavit is made for the limited purpose of establishing probable cause in support of a criminal complaint alleging that **Eddie Allen BAUGH**, having been convicted of a crime punishable by a term exceeding one year, did unlawfully possess a firearm which has been shipped or transported in interstate commerce in violation of Title 18 U.S.C § 922(g)(1).

4. I base this affidavit, in part, on my personal participation in this investigation, from information provided to me by other law enforcement officers, criminal history records maintained by various law enforcement agencies, the National Criminal Information Center (“NCIC”), and the training and experience of myself and other law enforcement agents and officers.

5. On May 22, 2020, Texas City Police Department arrested **Eddie Allen BAUGH** for Unlawful Possession of a Firearm by a Felon during a traffic stop. As documented in Texas City Police Department, Incident Case Number: 20-002782, Officers observed a Tan Honda Sedan (LP: 69449W3) speeding. Officers conducted a traffic stop and found two occupants of the vehicle, **Eddie BAUGH** was the driver. Officers smelled the odor of Marijuana in the vehicle. Officers conducted a search of the vehicle and located 1.58 ounces of green leafy substance in a bag. Under the bag of green leafy substance was a Taurus Millennium G2, 9mm Pistol, Serial Number: TJS49173. **BAUGH** was arrested for Unlawful Possession of a Firearm by a Felon. **BAUGH** received bond and was later released from Galveston County Jail.

6. On June 3rd, 2020, Your Affiant received information pertaining to the arrest of **Eddie BAUGH** for another Felon in Possession of a Firearm violation. La Marque Police Department Investigator Nicole Perales contacted Your Affiant and sent La Marque Police Department Incident Case Report Number 20-01092 for review. The report contained, in part, the following information:

7. On June 2nd, 2020, La Marque Police Officer J. Santos conducted a traffic stop of a 2004,

Gold/Tan, Honda Civic being operated by **Eddie BAUGH**. The traffic stop was conducted at 1842 Thompson, La Marque, TX 77568. Officer Santos could smell the odor of Marijuana emitting from the vehicle and also observed the vehicle to have a temporary license plate. The license plate had black duct tape obstructing the first and last digit of the plate number. Officer Santos initiated a traffic stop. The vehicle maintained a high rate of speed as it pulled into a parking lot at the incident location. As soon as the vehicle came to a stop, Officer Santos observed the doors of both occupants begin to exit the vehicle. Officer Santos ran up to the driver side of the vehicle as the occupant, **Eddie BAUGH**, was exiting. The passenger fled on foot. Officer Santos observed **BAUGH** to have a tan in color Taurus Judge Revolver on his waistline. Officer Santos immediately pulled it away from **BAUGH**. **BAUGH** was placed in restraints. In plain view of the vehicle, Officer Santos observed two baggies of green leafy substance and an AK47 style rifle next to the center console on the passenger floorboard. A probable cause search of the vehicle revealed several thousand dollars (\$2457.00) in United States Currency, which was subdivided with rubber bands. Officer Santos reviewed **BAUGH's** criminal history and observed him to have a recent felony conviction for Engaging in Organized Criminal Activity as of January 15, 2019, cause number 159793701010 in the 263rd District Court of Harris County, Texas.

8. On June 9th, 2020, Your Affiant contacted the 263rd District Court of Harris County, Texas and requested the Official Judgement Document pertaining to the Felony Conviction of **Eddie BAUGH** for Engaging in Organized Criminal Activity (EOCA). Your Affiant received the Judgement from Chief Prosecutor Ryan Trask on the same date confirming **BAUGH's** prior Felony conviction.

9. On June 17, 2020, SA Settelen picked up two (2) firearms from La Marque Police

Department seized from Eddie **BAUGH** on June 2, 2020. The firearms were placed into ATF

Custody as follows:

- ITEM 000001 FIREARM: HANDGUN, MNF: TAURUS, CAL: 45/410, MODEL: THE JUDGE, SN: TX183078
- ITEM 000002 FIREARM: RIFLE, WHYTWORKNIA BRONI JACEK POPINSKI (WBP), CAL: 762, MODEL: JACK, SN: PJ567

10. On June 27, 2020, Your Affiant sent the information for the two (2) firearms seized from

Eddie BAUGH on June 2, 2020 to ATF Special Agent A. Jonny who is duly certified to

determine interstate nexus. SA Jonny determined the following: ITEM 000001 FIREARM:

HANDGUN, MNF: TAURUS, CAL: 45/410, MODEL: THE JUDGE, SN: TX18307 was

manufactured by Taurus International Mfg., Inc., in the Country of Brazil and imported by

Taurus International Mfg., Inc. Miami, Florida. ITEM 000002 FIREARM: RIFLE,

WHYTWORKNIA BRONI JACEK POPINSKI (WBP), CAL: 762, MODEL: JACK, SN: PJ567

was manufactured by Whytworknia Broni Jacek Popinski (WBP) in the Country of Poland. Both

firearms are “firearms” as defined in Chapter 44, Title 18 U.S.C. § 921(a)(3) and were not

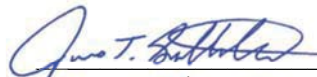
manufactured in the State of Texas; and therefore traveled in interstate or foreign commerce.

11. Due to the facts outlined above and to the best of Your Affiant’s knowledge and belief, all

statements made in this affidavit are true and correct. Based on these facts, Your Affiant believes

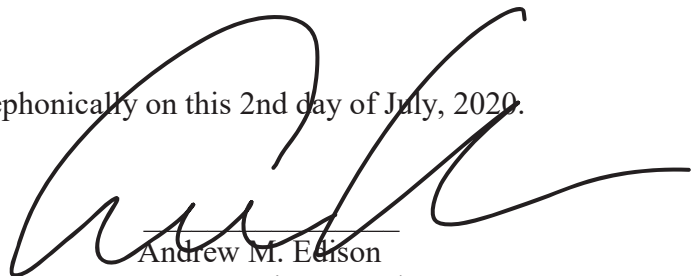
probable cause exists for the issuance of an arrest warrant for **Eddie Allen BAUGH** for Title 18

U.S.C § 922(g)(1) – Unlawful possession of a firearm by a felon.



James Settelen
Special Agent, ATF

The foregoing affidavit was sworn to telephonically on this 2nd day of July, 2020.



Andrew M. Edison
U. S. Magistrate Judge